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11 **UNITED STATES DISTRICT COURT**  
12 **EASTERN DISTRICT OF CALIFORNIA**  
13 **SACRAMENTO DIVISION**

14 JOEL D. RADER, VINCENT SEALY,

15 Plaintiffs,

16 v.

17 HERBERT C. BRUISTER, AMY O. SMITH,  
18 JONDA HENRY, ROBERT EDDY, and  
19 BRUISTER FAMILY LLC,

20 Defendants,

No. 2:10-CV-00222-MCE-GGH

21 **STIPULATION AND**  
22 **APPLICATION FOR**  
23 **EXTENSION OF TIME TO**  
24 **FILE JOINT STATUS**  
25 **REPORT; ORDER**

26 Pursuant to Eastern District Local Rule 6-144, Plaintiffs and Defendants hereby  
stipulate and agree as follows:

1. Christopher Rillo of the law firm Schiff Hardin LLP, was recently appointed  
by an insurance carrier to represent Defendants Herbert C. Bruister and Bruister Family LLC  
as counsel in this litigation;

1           2.       William B. Wahlheim, Jr. of the law firm Maynard Cooper & Gale PC, was  
2 recently appointed by an insurance carrier to represent Defendants Amy O. Smith and Jonda  
3 Henry as counsel in this litigation;

4           3.       Mr. Rillo entered his appearance of record on March 15, 2010 (Dkt. 13);

5           4.       Although Mr. Walheim signed the Stipulation filed with the Court at Dkt. 19,  
6 he technically has not entered his appearance of record;

7           5.       Defendant Robert Eddy is presently appearing pro se;

8           6.       As a result of their recent entry in this litigation and their inability to complete  
9 their investigation of the allegations of the Complaint, the parties have had insufficient time to  
10 confer as required by Fed.R.Civ.P. 26(f) and prepare their joint status report which includes a  
11 Rule 26(f) discovery plan;

12           7.       Pursuant to a Stipulation and Order of this Court, the Defendants have been  
13 ordered to file their responsive pleadings to the Complaint no later than April 9, 2010 (Dkt.  
14 19, 21); and

15           8.       For good cause shown, the parties should be granted an extension until on or  
16 before April 16, 2010, to file their Joint Status Report as ordered by this Court (Dkt. 4).  
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20           As this is an extension of time from this Court's order issued January 27, 2010 (Dkt.  
21 4), the parties request that this Court approve this extension by signing the Proposed Order  
22 attached, pursuant to Local Rule 6-144(a). There have been no prior requests for an extension  
23 from the Court's Order at Dkt. 4.  
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1 DATED: March 23, 2010

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3 KELLER ROHRBACK, L.L.P.

4 By: /s/ Juli E. Farris  
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20 Of Counsel

21 SCHIFF HARDIN L.L.P.

22 By: /s/ Christopher J. Rillo (with consent)

23 Christopher J. Rillo  
24 Nicole S. Magaline  
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Attorneys for Defendants  
Bruister and Bruister Family LLC

By: /s/ Robert Eddy (with consent)

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Pro Se

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MAYNARD COOPER & GALES, P.C.

By: /s/ William B. Wahlheim (with consent)

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John David Collins  
2400 Regions Herbert Plaza  
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Birmingham, Alabama 35203  
Attorneys for Defendants  
Smith and Henry


1 **ORDER**

2 Upon consideration of the above stipulation and good cause appearing therefrom,

3 IT IS HEREBY ORDERED that all parties shall file their Joint Status Report on or  
4 before **April 16, 2010**, in accordance with the instructions in the Order Requiring Joint Status  
5 Report at Dkt. 4.

6 IT IS SO ORDERED.

7 DATED: March 25, 2010

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10 MORRISON C. ENGLAND, JR.  
11 UNITED STATES DISTRICT JUDGE  
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